

AO 91 (Rev. 11/11) Criminal Complaint

FILED
At Albuquerque NM
FEB 2 2018
MATTHEW J. DYKMAN
CLERK

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America
v.

Rodolfo RODRIGUEZ Jr.

Case No.

18-MJ-351

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2/1/2018 in the county of Bernalillo in the
Judicial District of New Mexico, the defendant(s) violated:

Code Section

21 USC 841 (a)(1), (b)(1)(A)

Offense Description

Possession of more than one kilogram of
heroin with intent to distribute

This criminal complaint is based on these facts:

*** SEE ATTACHED AFFIDAVIT ***

☐ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 2/2/2018City and state: Albuquerque, New Mexico

Jarrell W. Perry
Complainant's signature
S/A Jarrell W. Perry, Special Agent
Printed name and title

Laura P. Fashing
Judge's signature
Laura Fashing, U.S. Magistrate
Printed name and title
Judge

AFFIDAVIT

On February 1, 2018, Drug Enforcement Administration (DEA) Special Agent (S/A) Jarrell W. Perry and DEA Task Force Officer Seth Chavez were at the Amtrak Train Station in Albuquerque, New Mexico to check the eastbound Amtrak Train during its normal layover in Albuquerque, New Mexico.

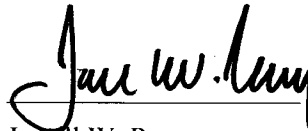
S/A Perry approached a male, later identified as Rodolfo RODRIGUEZ Jr., who was sitting in his respective seat in the coach section of the Amtrak Train. S/A Perry displayed his DEA badge to RODRIGUEZ, identified himself as a police officer to RODRIGUEZ, asked for permission to speak with RODRIGUEZ. RODRIGUEZ mumbled and handed S/A Perry his Amtrak Train ticket. After a short conversation, S/A Perry asked RODRIGUEZ if he had any luggage with him. RODRIGUEZ identified a black colored backpack as belonging to him.

S/A Perry asked for permission from RODRIGUEZ to search his black colored backpack for contraband. RODRIGUEZ picked up the black colored backpack and turned it upside down. All of the contents of the black backpack emptied out onto the empty aisle seat directly beside RODRIGUEZ. S/A Perry observed a small vial containing a green leafy substance and a different small vial with an edible marijuana gummy bear contained inside. S/A Perry knew from his experience that the vials contained marijuana and edible marijuana. S/A Perry instructed RODRIGUEZ to stand up and place his hands on the overhead luggage compartment. RODRIGUEZ stood up and S/A Perry searched RODRIGUEZ, which revealed a large round shaped hard bundle in between the legs of RODRIGUEZ and underneath of RODRIGUEZ's pants. S/A Perry immediately knew from experience that the bundle was consistent with a bundle of illegal narcotics.

S/A Perry handcuffed RODRIGUEZ, thus placing him under arrest. RODRIGUEZ was transported to the DEA Albuquerque District Office (ADO), along with his personal property. At the DEA ADO, S/A Perry and TFO Chavez conducted a thorough search of RODRIGUEZ and removed a large round shaped hard bundle wrapped in clear plastic

and black tape from RODRIGUEZ's person. S/A Perry and TFO Chavez weighed the bundle wrapped in plastic and black tape, for a total weight of approximately 1.10 gross kilograms. S/A Perry cut into the bundle wrapped in plastic and black tape which revealed a brown colored substance that field-tested positive for the presence of heroin.

This affidavit is submitted for the limited purpose of providing probable cause to support the attached criminal complaint.



Jarrell W. Perry
Special Agent
Drug Enforcement Administration


United States Magistrate Judge